

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Miami Division
CASE NO.: 00-6273-CR-HUCK / GARBER

UNITED STATES OF AMERICA,
Plaintiff,

vs.

ADAM TODD SILVERMAN,
Defendant.

**DEFENDANT SILVERMAN'S MOTION FOR AUTHORIZATION TO
EXPEND FUNDS TO OBTAIN ESSENTIAL DISCOVERY MATERIAL**

COMES NOW the Defendant, ADAM TODD SILVERMAN, through undersigned appointed counsel, and files this motion requesting advance authorization to expend CJA funds to obtain essential discovery and, in support thereof, states as follows:

1. Undersigned counsel has been appointed to represent the Defendant, Adam Silverman, pursuant to the Criminal Justice Act.
2. As this Court is aware, the Defendant has been charged in a 25 Count Indictment with eight other individuals with racketeering spanning a six year period. The pattern of alleged racketeering activity consisted of multiple acts or threats involving murder, extortion, extortionate extensions of credit, financing extortionate extensions of credit,

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collection of extensions of credit by extortionate means, fraud, bank fraud, theft from interstate shipments, interference with commerce by threats or violence and obstruction of justice

3. Undersigned counsel has been advised by the Government that the discovery in this case is voluminous, consisting of approximately 3,000 documents, 74 audio tapes, 17 CD ROMs and one video.
4. Further, the government advises that this Discovery is in the possession of International Legal Imprints and available for Defendant at an estimated cost of \$1,500.00.
5. Undersigned counsel has previously requested authorization to expend these funds to obtain the essential discovery materials pursuant to the Criminal Justice Act as indicated by the attached letter and memorandum to this Court under date of February 5, 2001. (Exhibit "A"). As of the date of this Motion, undersigned counsel has not yet received a response.

WHEREFORE, based upon the above and foregoing, the Defendant, ADAM TODD SILVERMAN, respectfully requests that this Court grant the relief herein sought.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by mail on this 7th day of March, 2001, to the following:

Jeff Sloman, Esquire
Assistant U.S. Attorney
500 East Broward Blvd.
Fort Lauderdale, Florida 33301

Tom Almon, Esquire
(atty for Charles Monico)
321 Northeast 26th Street
Miami, Florida 33137

Adam Todd Silverman
Inmate No.: 02405-748
FDC - Miami
33 Northeast Fourth Street
Miami, Florida 33130

Alejandro Taquechel, Esquire
(atty for Garcia)
3750 West 16th Avenue
Suite 238
Hialeah, Florida 33012

Manny Gonzalez, Esquire
(atty for Banks)
782 Northwest LeJeune Road
Suite 440
Miami, Florida 33126

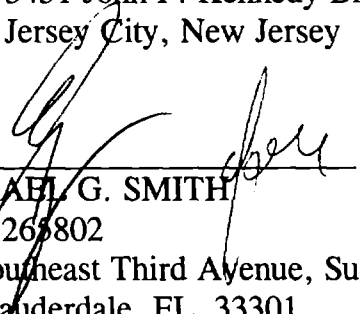
Jeffrey Weinkle, Esquire
(atty for Hernandez)
1035 Northwest 11th Avenue
Miami, Florida 33136

Donald Spadero, Esquire
(atty for Chiusano)
1000 South Federal Highway
Suite 103
Fort Lauderdale, Florida 33316

Fred Haddad, Esquire
(atty for Massaro)
101 Northeast Third Avenue
Suite 202
Fort Lauderdale, Florida 33301

Richard Houlihan, Esquire
(atty for Trentacosta)
300 Aragon Avenue, Suite 310
Coral Gables, Florida 33134

Samuel D. Deluca, Esquire
(atty for Ruggeriero)
3451 John F. Kennedy Blvd.
Jersey City, New Jersey 07307

BY: 
MICHAEL G. SMITH
FBN# 263802
633 Southeast Third Avenue, Suite 4-F
Fort Lauderdale, FL 33301
(954) 764-0033 / (954) 764-2590 - fax

Michael G. Smith

ATTORNEY AT LAW
TRIAL LAWYERS BUILDING
SUITE 4F
633 SOUTHEAST THIRD AVENUE
FORT LAUDERDALE, FLORIDA 33301

TELEPHONE (954) 764-0033
FAX (954) 764-2590

February 5, 2001

The Honorable Paul C. Huck
United States District Court Judge
301 North Miami Avenue
Miami, Florida 33132


RE: United States v. Adam Silverman
Case No.: 00-6273-CR-HUCK / GARBER

Dear Judge Huck:

Please find enclosed a proposed Memorandum For Authorization For Funds to Obtain Essential Discovery Materials. As you may be aware, discovery in this case is voluminous consisting of approximately 2,000 documents, 74 audio tapes, 17 CD ROMs and one video. As explained in the Memorandum, all of this material is essential to the proper and adequate preparation of the defense.

With this letter, I am requesting this Court Petition the Eleventh Circuit for advance authorization to expend up to \$1,500.00 in copying costs to obtain essential discovery. Should the proposed Memorandum meet with your approval please execute and forward to the appropriate parties. If you require any changes or any further information, please contact my office.

Very truly yours,



Michael G. Smith, Esquire

MGS/pb

Enclosure - 2 pages

DEFENDANT SILVERMAN'S MEMORANDUM
FOR AUTHORIZATION FOR FUNDS
TO OBTAIN ESSENTIAL DISCOVERY MATERIALS

TO: Chief Judge R. Lanier Anderson, III or his representative

FROM: United States District Judge Paul C. Huck

DATE: February 5, 2001

SUBJECT: Advance Authorization for Funds to Obtain Essential Discovery Materials.

It is requested that advance authorization be granted to obtain essential Discovery materials in excess of the maximum allowed under the provision of subsection (e)(3) of the Criminal Justice Act, Title 18, U.S.C. § 3006A, as follows:

Case Name: United States v. Adam Silverman (Southern District of Florida)

Case No.: 00-6273-CR-HUCK / GARBER

Copy Service: International Legal Imprints
150 Southeast Second Avenue
Suite 800
Miami, Florida 33131

Reason for Application:

The Defendant has been charged in a 25 Count Indictment with eight other individuals with racketeering spanning a six year period. The pattern of alleged racketeering activity consisted of multiple acts or threats involving murder, extortion, extortionate extensions of credit, financing extortionate extensions of credit, collection of extensions of credit by extortionate means, fraud, bank fraud, theft from interstate shipments, interference with commerce by threats or violence and obstruction of justice.

Counsel has been advised by the government that all discovery materials are in the possession of International Legal Imprints and are available to the Defendant for copying. Discovery in this case presently consists of approximately 2,000 documents (transcripts), one video, 74 audio cassettes, and 17 CD ROMs. All of this material is essential

discovery as it contains either conversations by the Defendant and/or by other persons discussing the Defendant and/or his alleged involvement in this case. All materials must be carefully reviewed for accuracy and content in order to properly and effectively prepare the defense of this case.

Estimated costs:

2000 pages @ .15 = \$300.00

1 video @ \$20.00 = \$20.00

74 audio cassettes @ \$5.00 = \$370.00

17 CD ROMs @ \$45.00 = \$765.00

Total Estimated Costs = \$1,500.00

I certify that the estimated compensation in excess of the amount set forth in Title 18, U.S.C. § 3006A(e)(3) appears necessary to provide fair compensation for services of an unusual character and therefore recommend approval of this advance authorization in the amount of \$1,500.00.

PAUL C. HUCK
U.S. DISTRICT COURT JUDGE

Date

Advance Authorization in the amount of \$ _____

Chief Judge, United States Court of Appeals
(or Delegate)

Date

1. CIR. DIST. DIV. CODE		2. PERSON REPRESENTED <i>Adam Todd Silverman</i>		VOUCHER NUMBER	
3. MAG. DKT/DEF. NUMBER		4. DIST. DKT/DEF. NUMBER <i>00-6273-62-HUCK</i>		5. APPEALS DKT/DEF. NUMBER	
6. OTHER DKT. NUMBER <i>C</i>		7. IN CASE/MATTER OF (Case Name) <i>USA v. Trentalosta</i>		8. PAYMENT CATEGORY <input checked="" type="checkbox"/> Delony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Appeal	
9. TYPE PERSON REPRESENTED <input checked="" type="checkbox"/> Adult Defendant <input type="checkbox"/> Juvenile Defendant <input type="checkbox"/> Other:		10. REPRESENTATION TYPE (See Instructions) <i>Criminal</i>		11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) If more than one offense, list (up to five) major offenses charged, according to severity of offense. <i>18 894.F</i>	

REQUEST AND AUTHORIZATION FOR EXPERT SERVICES

12. ATTORNEY'S STATEMENT As the attorney for the person represented who is named above, I hereby affirm that the services requested are necessary for adequate representation. I hereby request: <input checked="" type="checkbox"/> Authorization to obtain the service. Estimated Compensation and Expenses: \$ <i>1500</i> OR <input type="checkbox"/> Approval of services already obtained to be paid for by the United States pursuant to the Criminal Justice Act. (Note: Prior authorization should be obtained for services in excess of \$300, excluding expenses)	
Signature of Attorney <i>[Signature]</i> Date <i>3/7/01</i>	
<input checked="" type="checkbox"/> Panel Attorney <input type="checkbox"/> Retained Attorney <input type="checkbox"/> Pro-Se <input type="checkbox"/> Legal Organization	
ATTORNEY'S NAME (First Name, M.I., Last Name, including any suffix), AND MAILING ADDRESS <i>Michael G. Smith</i> <i>633 SE 3 Ave 41 Ft. Lauderdale FL 33301</i>	
Telephone Number: <i>954-764 0033</i>	

13. DESCRIPTION OF AND JUSTIFICATION FOR SERVICES (See Instructions) <i>Trial Prep / Copies of Essential Discovery</i>		14. TYPE OF SERVICE PROVIDER	
15. COURT ORDER Financial eligibility of the person represented having been established to the Court's satisfaction, the authorization requested in Item 12 is hereby granted. Signature of Presiding Judicial Officer or By Order of the Court _____ Date of Order _____ Nunc Pro Tunc Date _____ Repayment or partial repayment ordered from the person represented for this service at time of authorization. <input type="checkbox"/> YES <input type="checkbox"/> NO		01 <input type="checkbox"/> Investigator 02 <input type="checkbox"/> Interpreter/Translator 03 <input type="checkbox"/> Psychologist 04 <input type="checkbox"/> Psychiatrist 05 <input type="checkbox"/> Polygraph 06 <input type="checkbox"/> Documents Examiner 07 <input type="checkbox"/> Fingerprint Analyst 08 <input type="checkbox"/> Accountant 09 <input type="checkbox"/> CALR (Westlaw/Lexis, etc.) 10 <input type="checkbox"/> Chemist/Toxicologist 11 <input type="checkbox"/> Ballistics 12 <input type="checkbox"/> Weapons/Firearms/Explosive Expert 13 <input type="checkbox"/> Pathologist/Medical Examiner 14 <input type="checkbox"/> Other Medical 15 <input type="checkbox"/> Voice/Audio Analyst 16 <input type="checkbox"/> Hair/Fiber Expert 17 <input type="checkbox"/> Computer (Hardware/Software/Systems) 18 <input type="checkbox"/> Paralegal Services 19 <input type="checkbox"/> Legal Analyst/Consultant 20 <input type="checkbox"/> Jury Consultant 21 <input type="checkbox"/> Mitigation Specialist 22 <input checked="" type="checkbox"/> Duplication Services (See Instructions) 23 <input type="checkbox"/> Other (Specify)	

CLAIM FOR SERVICES AND EXPENSES		FOR COURT USE ONLY	
16. SERVICES AND EXPENSES (Attach itemization of services with dates)	AMOUNT CLAIMED	MATH/TECHNICAL ADJUSTED AMOUNT	ADDITIONAL REVIEW
a. Compensation			
b. Travel Expenses (lodging, parking, meals, mileage, etc.)			
c. Other Expenses			
GRAND TOTALS (CLAIMED AND ADJUSTED):			

17. PAYEE'S NAME AND MAILING ADDRESS	
TIN: _____ Telephone Number: _____ CLAIMANT'S CERTIFICATION FOR PERIOD OF SERVICE FROM _____ TO _____ CLAIM STATUS <input type="checkbox"/> Final Payment <input type="checkbox"/> Interim Payment Number _____ <input type="checkbox"/> Supplemental Payment I hereby certify that the above claim is for services rendered and is correct, and that I have not sought or received payment (compensation or anything of value) from any other source for these services. Signature of Claimant/Payee _____ Date _____	

18. CERTIFICATION OF ATTORNEY I hereby certify that the services were rendered for this case.	
Signature of Attorney _____ Date _____	

APPROVED FOR PAYMENT - COURT USE ONLY

19. TOTAL COMPENSATION	20. TRAVEL EXPENSES	21. OTHER EXPENSES	22. TOTAL AMOUNT APPROVED/CERTIFIED
23. <input type="checkbox"/> Either the cost (excluding expenses) of these services does not exceed \$300, or prior authorization was obtained. <input type="checkbox"/> Prior authorization was not obtained, but in the interest of justice the Court finds that timely procurement of these necessary services could not await prior authorization, even though the cost (excluding expenses) exceeds \$300.			
Signature of Presiding Judicial Officer _____		Date _____ Judge/Mag. Judge Code _____	
24. TOTAL COMPENSATION	25. TRAVEL EXPENSES	26. OTHER EXPENSES	27. TOTAL AMOUNT APPROVED
28. PAYMENT APPROVED IN EXCESS OF THE STATUTORY THRESHOLD UNDER 18 U.S.C. § 3006A(e)(3)			
Signature of Chief Judge, Court of Appeals (or Delegate)		Date _____ Judge Code _____	